

13142  
U.S. PTO  
022604PTO/SB/05 (01-04)  
Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.UTILITY  
PATENT APPLICATION  
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	MBC-0511
First Inventor	Bury, Jeffrey R.
Title	Strength Improvement Admixture
Express Mail Label No.	EL722636040US

22838  
U.S. PTO  
10/787507

022604

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

## ADDRESS TO:

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 87]  
(preferred arrangement set forth below)  
- Descriptive title of the invention  
- Cross Reference to Related Applications  
- Statement Regarding Fed sponsored R & D  
- Reference to sequence listing, a table,  
or a computer program listing appendix  
- Background of the Invention  
- Brief Summary of the Invention  
- Brief Description of the Drawings (if filed)  
- Detailed Description  
- Claim(s)  
- Abstract of the Disclosure
4. ☐ Drawing(s) (35 U.S.C. 113) [Total Sheets \_\_\_\_\_]
5. Oath or Declaration [Total Sheets \_\_\_\_\_]  
a. ☒ Unexecuted (original or copy)  
b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)  
i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
name in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
6. ☒ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)  
a. ☐ Computer Readable Form (CRF)  
b. Specification Sequence Listing on:  
i. ☐ CD-ROM or CD-R (2 copies); or  
ii. ☐ paper  
c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement [ ] Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 [ ] Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.
17. ☒ Other: Check in the amount of \$1,618.00

## Multiple Dependent Claim Sheet

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Prior application information:

Examiner

Art Unit:

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.

The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number: 23575 OR ☐ Correspondence address below

Name	Renner, Kenner, Greive, Bobak, Taylor & Weber				
Address	24500 Center Ridge Road				
	Suite 280				
City	Westlake	State	OH	Zip Code	44145
Country	USA	Telephone	440/808-0011	Fax	440/808-0657

Name (Print/type)	Joseph G. Curatolo	Registration No. (Attorney/Agent)	28,837
Signature	<i>Joseph G. Curatolo</i>	Date	2-26-2004

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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13142  
U.S. PTO  
022604

PTO/SB/17 (10-03)

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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant Claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT (\$)** 1,618.00

## Complete if Known

Application Number	New Patent Application
Filing Date	February, 26, 2004
First Named Inventor	Bury, Jeffrey R.
Examiner Name	N/A
Art Unit	N/A
Attorney Docket No.	MBC-0511

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number: 18-0987  
Deposit Account Name: Renner, Kenner, Greive, Bobak, Taylor & Weber

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	770.00
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

**SUBTOTAL (1) (\$)** 770.00

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	

**SUBTOTAL (2) (\$)** 848.00

\*\* or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	2053	130	Non-English specification	
1812	2,520	2012	2,520	For filing a request for ex parte reexamination	
1804	920*	2004	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	2005	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	2807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	2806	180	Submission of Information Disclosure Stmt	
8021	40	28021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	2802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$)**

## SUBMITTED BY

Name (Print/Type)	Joseph G. Curatolo	Registration No. (Attorney/Agent)	28,837	Telephone	440/808-0011
Signature	<i>Joseph G. Curatolo</i>			Date	2-26-2004

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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24500 CENTER RIDGE ROAD  
SUITE 280  
WESTLAKE, OHIO 44145  
Telephone (440) 808-0011  
Fax (440) 808-0657  
www.rennerkenner.com

REESE TAYLOR  
PHILLIP L. KENNER  
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JOHN J. CUNNIFF  
MARK L. WEBER  
JAMES E. OEHLenschLAGER  
WESLEY C. MEINERDING

SYLVIA PETROSKY, of counsel

Patent Agent  
TAMA L. DRENSKI

February 26, 2004

MAIL STOP PATENT APPLICATION  
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P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

## Certificate of Express Mailing

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service as Express Mail - Label No. EL722636040US - "Express Mail Post Office to Addressee" in an envelope with sufficient postage addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Jean R. Barris  
(type or print name of person signing paper)

Jean R. Barris  
(signature of person mailing paper)

2/26/2004  
(date)

## TRANSMITTAL SHEET FOR PATENT APPLICATION

Dear Sirs:

Transmitted herewith for filing under 35 U.S.C. §111(a) is a written application for a patent.

Express Mail No. EL722636040US

Docket No. MBC-0511

Title: Strength Improvement Admixture

Inventors: Jeffrey R. Bury, Thomas M. Vickers, Jr. and Bruce J. Christensen

Assignee: Construction Research and Technology GmbH

The present application claims the benefit of the filing date, under 35 U.S.C. §119(e), from U.S. Provisional Application No. 60/450,374 filed February 26, 2003.

### Enclosed is:

Transmittal Letter with Certificate of Mailing and Authorization to Charge Deposit Account (2 pages - in duplicate)

Utility Patent Application Transmittal Sheet (1 page)

Fee Transmittal Sheet (1 page - in duplicate)

Multiple Dependent Claim Fee Calculation Sheet

Application Data Sheet

Combined Declaration and Power of Attorney (3 pages)

Specification:

<u>46</u>	pages of Description
<u>40</u>	pages of Claims
<u>1</u>	page of Abstract

Check in the amount of \$1,618.00

Return Receipt Postcard

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**Authorization to Charge Deposit Account**

In the event an additional fee is applicable to the filing of this document and the required fee is not enclosed, or the fee submitted is insufficient, the Commissioner is hereby authorized to charge any fees for Docket No. MBC-0511 which might be required to effect the filing of this (these) document (s) to Account No. 18-0987. This authorization is being submitted in duplicate.

Respectfully submitted,



Joseph G. Curatolo, Esq. (Reg. No. 28,837)

Salvatore A. Sidoti, Esq. (Reg. No. 43,921)

James E. Oehlenschlager (Esq., Reg. No. 50,164)

Renner, Kenner, Greive, Bobak, Taylor & Weber

24500 Center Ridge Road, Suite 280

Westlake, Ohio 44145

Telephone: (440) 808-0011

Attorney for Applicants

2-26-2004

Date